117TH CONGRESS 1ST SESSION	S.	
To amond the Small Pur	sings Act to pushib	t ab

To amend the Small Business Act to prohibit abortion providers from receiving a covered loan under the paycheck protection program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. I	Marshall introdu	ced the follo	owing bill;	which	was	read	twice	and
	referred to the	Committee	on				_	

A BILL

To amend the Small Business Act to prohibit abortion providers from receiving a covered loan under the paycheck protection program, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,
- 3 SECTION 1. SHORT TITLE.
- 4 This Act may be cited as the "Abortion Providers
- 5 Loan Elimination Act".
- 6 SEC. 2. FINDINGS.
- 7 Congress finds the following:
- 8 (1) The Coronavirus Aid, Relief, and Economic
- 9 Security Act (Public Law 116–136) disqualified af-

1 filiations from applying for and receiving loans 2 through the paycheck protection program established 3 under section 7(a)(36) of the Small Business Act 4 (15 U.S.C. 636(a)(36)). 5 (2) Section 7(a)(36)(D)(vi) of the Small Busi-6 ness Act (15 U.S.C. 7(a)(36)(D)(vi)), as added by 7 the Coronavirus Aid, Relief, and Economic Security 8 Act, established that affiliation rules apply to non-9 profits for the purpose of determining whether a 10 nonprofit has 500 or fewer employees. 11 (3) Planned Parenthood Federation of America, 12 a national organization with central control over its 13 affiliates and which has nearly \$2,000,000,000 in 14 assets and 16,000 employees, improperly applied for, 15 and received \$80,000,000 in loans through the pay-16 check protection program. 17 (4) In May of 2020, the Small Business Admin-18 istration sent letters to the 39 Planned Parenthood 19 affiliates who had improperly applied for and re-20 ceived funds under the paycheck protection program 21 contrary to the letter of the law, instructing the af-22 filiates to return the funding. 23 (5) According to the most recently available

data, 7 affiliates did so, but the remaining 31 affili-

24

1	ates kept the received funding despite receiving no-
2	tice that they had received such funds illegally.
3	(6) As of March 23, 2021, 3 of the 31 Planned
4	Parenthood affiliates again applied for and received
5	second draw loans under section 7(a)(37) of the
6	Small Business Act (15 U.S.C. 636(a)(37)) for a
7	combined \$4,800,000 of additional funding.
8	SEC. 3. PAYCHECK PROTECTION PROGRAM.
9	(a) In General.—Section 7(a)(36) of the Small
10	Business Act (15 U.S.C. 636(a)(36)) is amended by add-
11	ing at the end the following:
12	"(W) Prohibition on covered loans
13	FOR ABORTION PROVIDERS.—
14	"(i) In general.—Except as pro-
15	vided in clause (ii), no individual or entity
16	that provides abortions shall be eligible to
17	receive a covered loan.
18	"(ii) Exceptions.—Clause (i) shall
19	not apply to—
20	"(I) a hospital, as defined in sec-
21	tion 1861(e) of the Social Security
22	Act (42 U.S.C. 1395x(e)); or
23	"(II) an entity that exclusively
24	provides abortions described in section
25	507(a) of the Further Consolidated

	T
1	Appropriations Act, 2020 (Public Law
2	116–94).".
3	(b) Effective Date.—The amendment made by
4	this section shall be effective as if included in the enact-
5	ment of the CARES Act (Public Law 116–136).
6	SEC. 4. INSPECTOR GENERAL REPORT.
7	Not later than 6 months after the date of the enact-
	Not later than 6 months after the date of the enactment of this Act, the Inspector General of the Small Busi-
8	
8 9	ment of this Act, the Inspector General of the Small Busi-
8 9 10	ment of this Act, the Inspector General of the Small Business Administration shall conduct an investigation and
8 9 10 11	ment of this Act, the Inspector General of the Small Business Administration shall conduct an investigation and submit to Congress a report on the number of covered

13 ness Act (15 U.S.C. 636(a)(36)) and to other individuals

14 or entities that provide abortions.